

**A RESOLUTION BY
CITY UTILITIES COMMITTEE**

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AMENDMENT AGREEMENT NO. 4 WITH STEWART BROS., INC., FOR FC-3005007849A, ANNUAL ASPHALT RESURFACING AND MILLING CONTRACT, ON BEHALF OF THE DEPARTMENT OF PUBLIC WORKS, IN AN AMOUNT NOT TO EXCEED TWO HUNDRED SIXTY FOUR THOUSAND THREE HUNDRED EIGHTEEN DOLLARS AND FORTY SIX CENTS (\$264,318.46) WITH ALL CONTRACTED WORK BEING CHARGED TO AND PAID FROM FUND DEPARTMENT AND ACCOUNT NUMBERS 3502 (GENERAL GOV'T CAPITAL OUTLAY FUND) 130308 (DPW TRANSPORTATION DESIGN) 5414002 (FAC OTHER THAN BUILDINGS/INFRASTRUCTURE/CIP) PTAE0 FUNDING SOURCE; 13101659/101/350291105/5414002 (FAC OTHER THAN BUILDINGS/INFRASTRUCTURE/CIP)/COA; 13101659/105/350291795/5414002 (FAC OTHER THAN BUILDINGS/INFRASTRUCTURE/CIP)/COA AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta ("City") did enter into an Agreement with Stewart Bros., Inc., for FC-3005007849A, Annual Contract for Asphalt, Resurfacing and Milling, on behalf of the Department of Public Works; and

WHEREAS, said Agreement had a base term of two (2) years, expiring on June 21, 2007, with two (2), one (1) year renewal options at the City's sole discretion; and

WHEREAS, Renewal Agreement No. 1 was executed effective June 22, 2007, pursuant to Resolution 07-R-0742; and

WHEREAS, Renewal Agreement No. 2 was executed effective June 22, 2008, pursuant to Resolution 08-R-0686; and

WHEREAS, the term of this Amendment Agreement No. 4 is for a period of one (1) year effective June 22, 2008 to June 21, 2009; and

WHEREAS, the City has determined it is in its best interest to exercise the amendment option, as the Amendment of the annual asphalt resurfacing and milling contract is vital for the City to carry out its objective to provide infrastructure improvements and to provide functional street improvement through resurfacing; and

WHEREAS, Stewart Bros., Inc., has performed the contracted service satisfactorily; and

WHEREAS, the Commissioner of the Department of Public Works and the Chief Procurement Officer recommend this Amendment Agreement No. 4 with Stewart Bros., Inc., in an amount not to exceed Two Hundred Sixty Four Thousand Three Hundred Eighteen Dollars And Forty Six Cents (\$264,318.46) for the continuance of asphalt services in various council districts; and

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY RESOLVES, that the Mayor is authorized to enter into Amendment Agreement No. 4 with Stewart Bros., Inc., in an amount not to exceed Two Hundred Sixty Four Thousand Three Hundred Eighteen Dollars And Forty Six Cents (\$264,318.46) for the continuance of asphalt services in various council districts.

BE IT FURTHER RESOLVED, that the Chief Procurement Officer is hereby directed to prepare the appropriate agreement for execution by the Mayor.

BE IT FURTHER RESOLVED, that this Agreement will not become binding upon the City and the City shall incur no obligation or liability hereunder until the same has been approved as to form by the City Attorney, signed by the Mayor, attested to by the municipal clerk and delivered to Stewart Bros., Inc.

BE IT FINALLY RESOLVED, that all contracted work shall be charge to and paid from Fund Department and Account Numbers 3502 (General Gov't Capital Outlay Fund) 130308 (DPW Transportation Design) 5414002 (FAC Other Than Buildings/ Infrastructure/ CIP) PTAE0 Funding Source 13101659/350291105/5414002 (FAC Other Than Buildings/ Infrastructure/ CIP)/ COA; 13101659/105/350291795/5414002 (FAC Other Than Buildings/ Infrastructure/ CIP)/ COA; and for other purposes.

A. To be completed by Legislative Counsel:

Committee of Purview: City Utilities Committee

Caption: A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AMENDMENT AGREEMENT NO. 4 WITH STEWART BROS., INC., FOR FC-3005007849A, ANNUAL ASPHALT RESURFACING AND MILLING CONTRACT, ON BEHALF OF THE DEPARTMENT OF PUBLIC WORKS, IN AN AMOUNT NOT TO EXCEED TWO HUNDRED SIXTY FOUR THOUSAND THREE HUNDRED EIGHTEEN DOLLARS AND FORTY SIX CENTS (\$264,318.46) WITH ALL CONTRACTED WORK BEING CHARGED TO AND PAID FROM FUND DEPARTMENT AND ACCOUNT NUMBERS 3502 (GENERAL GOV'T CAPITAL OUTLAY FUND) 130308 (DPW TRANSPORTATION DESIGN) 5414002 (FAC OTHER THAN BUILDINGS/INFRASTRUCTURE/CIP) PTAE0 FUNDING SOURCE; 13101659/101/350291105/5414002 (FAC OTHER THAN BUILDINGS/INFRASTRUCTURE/CIP)/COA; 13101659/105/350291795/5414002 (FAC OTHER THAN BUILDINGS/INFRASTRUCTURE/CIP)/COA AND FOR OTHER PURPOSES.

Council Meeting Date: February 16, 2009

Requesting Dept.: Public Works

Part II: Legislative White Paper: (This portion of the Legislative Request Form will be shared with City Council members and staff)

B. To be completed by the department :

1. Please provide a summary of the purpose of this legislation (Justification Statement).

The purpose of this legislation is to enter into an amendment agreement with Stewart Brothers to add funding to provide additional resurfacing projects within the City under the Quality of Life Bond program.

2. Please provide background information regarding this legislation.

The City of Atlanta Annual Asphalt, Resurfacing and Milling contract for the Quality of Life Bond program in the respective council districts..

3. If Applicable/Known:

(a) **Contract Type (e.g. Professional Services, Construction Agreement, etc):**
Construction

(b) **Source Selection:** n/a

(c) **Bids/Proposals Due:** n/a

(d) **Invitations Issued:** n/a

(e) **Number of Bids:** n/a

(f) **Proposals Received:** n/a

(g) **Bidders/Proponents:** n/a

(h) **Term of Contract:** n/a

4. Fund Account Center: 13101659 101 350291105 5414002 - \$114,318.46; 13101659 350291795 5414002 - \$150,000

5. Source of Funds: *Example: Local Assistance Grant* General Government Capital Fund,

6. Fiscal Impact: \$264,318.46

Example: This legislation will result in a reduction in the amount of _____ to Fund Account Center Number _____.

7. Method of Cost Recovery:

This Legislative Request Form Was Prepared By: Dawn Riley

LEGISLATIVE SUMMARY

TO: City Utilities Committee

CAPTION

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AMENDMENT AGREEMENT NO. 4 WITH STEWART BROS., INC., FOR FC-3005007849A, ANNUAL ASPHALT RESURFACING AND MILLING CONTRACT, ON BEHALF OF THE DEPARTMENT OF PUBLIC WORKS, IN AN AMOUNT NOT TO EXCEED TWO HUNDRED SIXTY FOUR THOUSAND THREE HUNDRED EIGHTEEN DOLLARS AND FORTY SIX CENTS (\$264,318.46) WITH ALL CONTRACTED WORK BEING CHARGED TO AND PAID FROM FUND DEPARTMENT AND ACCOUNT NUMBERS 3502 (GENERAL GOV'T CAPITAL OUTLAY FUND) 130308 (DPW TRANSPORTATION DESIGN) 5414002 (FAC OTHER THAN BUILDINGS/INFRASTRUCTURE/CIP) PTAE0 FUNDING SOURCE; 13101659/101/350291105/5414002 (FAC OTHER THAN BUILDINGS/INFRASTRUCTURE/CIP)/COA; 13101659/105/350291795/5414002 (FAC OTHER THAN BUILDINGS/INFRASTRUCTURE/CIP)/COA AND FOR OTHER PURPOSES.

Committee Meeting Date: February 10-11, 2009

Council Meeting Date: February 16, 2009

Legislation Title: FC-7849A, Amendment No. 4

Requesting Dept.: Public Works

Contract Type: ITB for Construction Services

Advertisement: Advertised in AJC on February 27, 2005

Bids/Proposals Due: March 30, 2005

Invitations Mailed: Forty Six (46)

Bids/Proposals Received: Three (3) bids received.

Bidders/Proponents:	Stewart Bros.	\$3,456,670.00
	Bankhead Contracting	\$3,491,137.00
	Glasco Paving	\$5,913,300.00

Contractor:	Stewart Bros.	\$3,456,670.00
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Estimated Value: \$264,318.46

Scope Summary: To provide all the necessary labor, equipment and supplies for asphalt resurfacing, milling and sub-grade point repairs on various roads and streets within the City of Atlanta.

Background:

This Legislation covers Amendment Agreement No. 4 to Contract FC-3005007849A for additional funding to provide additional Resurfacing Projects within the City under the quality of Life Bond Program.

Agreement Type	Effective Start Date	Effective Expiration Date	Not to Exceed Amount
Original Agreement	06/22/05	06/21/07	\$ 3,456,670.00
Amendment Agreement No. 1	06/22/05	06/21/07	\$ 3,456,670.00
Amendment Agreement No. 2	06/22/05	06/21/07	\$674,536.61
Amendment Agreement No. 3	06/22/05	06/21/07	\$4,266,730.00
Amendment Agreement No. 4	06/22/08	06/21/09	\$264,318.46
Renewal Agreement No. 1	06/22/07	06/21/08	\$871,116.57
Renewal Agreement No. 2	06/22/08	06/21/09	\$2,923,301.97
Total			\$15,913,343.61

Evaluation Team:

The Departments of Public Works, Finance and Office of Contract Compliance

Term of Contract:

Two (2) years with two (2) one (1) year renewal options.

Fund Account Centers:

3502 (GENERAL GOV'T CAPITAL OUTLAY FUND) 130308 (DPW TRANSPORTATION DESIGN) 5414002 (FAC OTHER THAN BUILDINGS/INFRASTRUCTURE/CIP) PTAE0 FUNDING SOURCE; 13101659/101/350291105/5414002 (FAC OTHER THAN BUILDINGS/INFRASTRUCTURE/CIP)/COA; 13101659/105/350291795/5414002 (FAC OTHER THAN BUILDINGS/INFRASTRUCTURE/CIP)/COA

Prepared By:

Anthony Stanley

Contact Number:

404-330-6384

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CITY OF ATLANTA
DEPT. OF PROCUREMENT

09 JAN 22 PM 4:18

CITY OF ATLANTA

SHIRLEY FRANKLIN
MAYOR


55 TRINITY AVE., SW, ATLANTA, GEORGIA 30303-0324
SUITE 4700, CITY HALL - SOUTH
(404) 330-6240
FAX (404) 658-7552
Email: publicworks@atlanta.gov

DEPARTMENT OF PUBLIC WORKS

Joe Basista
Commissioner

MEMORANDUM FOR: REQUEST FOR CHANGE/AMENDMENT/MODIFICATION

TO: Adam L. Smith, Chief Procurement Officer
Department of Procurement

FROM: Joe Basista, Commissioner
Department of Public Works 

SUB: **REQUEST FOR CONTRACT CHANGE/AMENDMENT OR MODIFICATION TO
THE FOLLOWING CONTRACTS:**

**FC-7849A, Annual Contract for Asphalt Resurfacing and Milling;
Contractor: Stewart Brothers**

DATE: **January 12, 2009**

A. DESCRIPTION OF PROPOSED CHANGE / MODIFICATION / AMENDMENT

Pursuant to Section 2-1292 of the City of Atlanta Procurement Code and Article 33 – Changes and Extra Work of the General Conditions for the Contract, the Department of Public Works (DPW) on behalf of the Quality of Life Bond Program (QOL) request an Amendment to the following Contract:

Please process for cycle 20.

Amendment No. 4 to Contract FC-7849A, Annual Contract for Asphalt Resurfacing and Milling;

B. NEED FOR PROPOSED CHANGE / MODIFICATION / AMENDMENT

The purpose of the amendment is to add additional funding to provide additional resurfacing projects within the City under the Quality of Life Bond Program.

C. ADJUSTMENT OF CONTRACT PRICE

\$264,318.46 REDUCED FROM \$314,318.00

D. PERFORMANCE INFORMATION

The Contractor has been performing satisfactorily during the period of performance that commenced since the execution of the contract.

If additional information is needed, please feel free to contact Soraya Belgrave at Ext. 6002.

JJB/sb

cc: Dawn Riley, Department of Public Works
Cathy Martin, Department of Procurement
Soraya Belgrave, Department of Public Works / File



CITY OF ATLANTA
DEPT. OF PROCUREMENT
2005 MAY 10 AM 9:11

CITY OF ATLANTA

SHIRLEY FRANKLIN
MAYOR

OFFICE OF CONTRACT COMPLIANCE
55 TRINITY AVENUE, S.W. SUITE 1700
ATLANTA, GEORGIA 30303
OFFICE (404) 330-6010
FAX (404) 658-7359

MEMORANDUM

TO: Adam L. Smith, Chief Procurement Officer
Department of Procurement

FROM: Hubert Owens, Acting Director *HO*
Office of Contract Compliance

DATE: May 9, 2005

RE: Recommendation for FC 3005007849, Annual Asphalt Resurfacing and
Milling Contract

The Office of Contract Compliance has reviewed the three (3) bids for minority and female business enterprise participation. All three (3) bidders are eligible under Section 2-1449(a)(2)(C) of the Equal Business Opportunity (EBO) Code of Ordinances and have been deemed responsive by the Office of Contract Compliance. For your information, they have committed to utilizing AABEs and FBEs as indicated below:

Stewart Brothers, Inc.

RAS Asphalt Paving	AABE 25%
M.A.R. Trucking	FBE 2.3%
RAC Trucking	FBE 2.3%
A&G Trucking	FBE 2.3%
Four Seasons Trucking	FBE 2.3%
Total Participation	34.2%

Bankhead Contracting

Farmer Oil Company	FBE 15%
Highways Services Co.	FBE 7%
Domineck Trucking	AABE 11%
Total Participation	33%

Adam L. Smith
May 9, 2005
Page 2

Glasco Paving

Spiderman Trucking	AABE	17%
Jerome Enterprises	FBE	10%
<u>Double D Trucking</u>	FBE	17%
Participation Total		44%

If you have questions, please contact me at (404) 330-6010 or Bruce T. Bell at (404) 330-6009.

CC: File
Djuana Herron, DOP

TRANSMITTAL FORM FOR LEGISLATION

TO: MAYOR'S OFFICE

ATTN: GREG PRIDGEON

Dept.'s Legislative Liaison: Soraya Belgrave

Contact Number: (404) 330-6002

Originating Department: Department of Public Works

Committee(s) of Purview: City Utilities Committee

Chief of Staff Deadline: January 27, 2009

Anticipated Committee Meeting Date(s): February 10, 2009

Anticipated Full Council Date: February 16, 2009

Legislative Counsel's Signature: Saul Schultz

Commissioner Signature: [Signature]

Chief Procurement Officer Signature: [Signature]

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Mayor's Staff Only

Received by CPO: _____
(date)

Received by LC from CPO: _____
(date)

Received by Mayor's Office: [Signature]
(date)

Reviewed by: [Signature]
(date)

Submitted to Council: _____